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Wednesday
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Part IV

Department of Education

College Library Resources Program (Title II-A HEA); Final Rule

DEPARTMENT OF EDUCATION

34 CFR Part 773

College Library Resources Program (Title II-A HEA)

AGENCY: Department of Education.

ACTION: Final regulations.

SUMMARY: The Secretary of Education is issuing final regulations for the College Library Resources Program to implement the statutory changes contained in the Education Amendments of 1980 (Pub. L. 96-374). These regulations govern resource development grants awarded to institutions of higher education and other eligible library institutions to improve their library holdings and networking capabilities.

EFFECTIVE DATE: Unless the Congress takes certain adjournments, these regulations will take effect August 3, 1981. If you want to know if there has been a change in the effective date of these regulations, call or write the Department of Education contact person. At a future date, the Secretary will publish a notice in the **Federal Register** stating the effective date of these regulations.

FOR FURTHER INFORMATION CONTACT: Frank A. Stevens, Telephone (202) 245-9530.

SUPPLEMENTARY INFORMATION:

A. Background

The College Library Resources Program provides funds to institutions of higher education and public and nonprofit private library institutions to assist them in the development of their library collections. Since the inception of the program in 1966, approximately 2,300 institutions of higher education and other library institutions have participated annually, and over 39,000 awards have been issued.

B. Public Comments on the NPRM

A notice of proposed rulemaking (NPRM) for the College Library Resources Program was published in the **Federal Register** on December 23, 1980 (45 FR 84950).

While the provisions of these final regulations are substantially the same as those of the NPRM, changes include:

- In subpart C, § 773.22 "Application for waiver of maintenance of effort" replaces § 773.41 of the NPRM, and § 773.23 "Application from a combination of institutions" replaces § 773.42(c) of the NPRM.
- In § 773.5(b), the definition of "School or department of divinity" is removed. (See EDGAR, 34 CFR 75.532.)
- In § 773.10(b)(2), the sentence which prohibits the use of funds for religious purposes is revised.

Awards under this program are made on the basis of applicant eligibility and compliance with the maintenance of effort requirement. Therefore, the sections of the EDGAR which concern selection criteria (34 CFR 75.202-206), do not apply to this part.

The following public comments were received in response to the NPRM. (The NPRM section designation is shown in parentheses following the current section designation if it is changed.)

§ 773.5 *Definitions* and § 773.40 *Maintenance of effort requirement.* (§ 773.40 *Fiscal requirements.*)

Comment. Two commenters objected to the EDGAR definition of "fiscal year" as applied to the maintenance of effort requirement. They suggested that applicants be permitted to safisfy maintenance of effort requirements on the basis of an applicant's own fiscal year rather than on the Federal fiscal year as defined in EDGAR. The commenters asserted that, by basing the maintenance of effort on the applicant's fiscal year instead of the Federal fiscal year, the time and cost to prepare an application would be reduced.

Response. No change has been made. The statute requires that grantees compute maintenance of effort expenditures on the basis of the Federal fiscal year.

§ 773.40 *Maintenance of effort requirement.* (§ 773.40 *Fiscal requirements.*)

Comment. One commenter urged that "operational support expenditures" be included in those expenditures considered for purposes of the maintenance of effort requirement. The commenter asserted that library personnel costs now exceed the cost of acquiring materials.

Response. No change has been made. Section 211(b)(2) of the statute specifically establishes library material expenditures as the sole basis for satisfying the maintenance of effort requirement.

§ 773.22 *Application for waiver of maintenance of effort.* (§ 773.41 *Waiver of the maintenance effort.*)

Comment. Two commenters objected to the requirement that waivers be restricted to "very unusual circumstances." Constrained budgets, they assert, would prevent some applicants from meeting the maintenance of effort requirement under that strict requirement.

Response. No change has been made. The statute specifically limits to "very unusual circumstances" those circumstances that would qualify an applicant for a waiver.

To assist the Department in complying with the specific requirements of Executive Order 12291 and its overall requirement of reducing regulatory burden, public comment is invited on whether there may be further opportunities to reduce any regulatory burdens found in these regulations.

Citation of Legal Authority

A citation of statutory or other legal authority has been placed in parentheses on the line following each provision.

Dated: June 11, 1981.

T. H. Bell,

Secretary of Education.

(Catalog of Federal Domestic Assistance Number 84.005, College Library Resources Program)

The Secretary revises Part 773 of Title 34 of the Code of Federal Regulations to read as follows:

PART 773—COLLEGE LIBRARY RESOURCES PROGRAM

Subpart A—General

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Subpart E—Conditions That Must Be Met by Grantee

773.40 Maintenance of effort requirement
773.41 Coordination with other groups.

Authority: Part A of Title II of the Higher Education Act of 1965, as amended by the Education Amendments of 1980 (Pub. L. 96-374), 96 Stat. 1383 (20 U.S.C. 1021, *et seq.*)

Subpart A—General

§ 773.1 College library resources program.

The College Library Resources Program assists institutions of higher education and other public and nonprofit private library institutions to—

(a) Improve the quality of their library resources, including law library resources; and

(b) Share their library resources through the establishment and maintenance of networks.

(Sec. 201, 211 of the Act; 20 U.S.C. 1021, 1029)

§ 773.2 Eligible applicants.

The following are eligible to apply for a grant under the College Library Resources Program:

(a) An institution of higher education.

(b) A branch of an institution of higher education.

(c) A combination of institutions of higher education.

(d) A public or nonprofit private library institution.

(Sec. 211 of the Act; 20 U.S.C. 1029)

§ 773.3 Eligibility limitations.

(a) A department library or a professional school within an institution of higher education may not apply separately as a branch.

(b) A grantee under Section 231 of the Act, Part C of Title II (Strengthening Research Library Resources), is ineligible to receive a grant under this part for the same fiscal year.

(Sec. 211, 231 of the Act; 20 U.S.C. 1029, 1041)

§ 773.4 Regulations that apply to the college library resources program.

The following regulations apply to the College Library Resources Program:

(a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR Part 75 (Direct Grant Programs) and 34 Part CFR 77 (Definitions); and

(b) The regulations in this Part 773.

(20 U.S.C. 3474)

§ 773.5 Definitions that apply to the college library resources program.

(a) *Definitions in EDGAR.* The following terms used in this Part are defined in 34 CFR Part 77:

Acquisition	Grant
Applicant	Grant Period
Application	Nonprofit
Award	Private
Department	Public
EDGAR	Secretary
Fiscal Year	

(b) *Definitions that apply to this part.* The following definitions apply to this part:

"Acquisition" means the term as defined in EDGAR, 34 Part 77. For the purposes of this program it also includes cataloging and necessary first binding.

"Act" means the Higher Education Act of 1965, as amended.

"Branch" means a campus of an institution of higher education if that campus is—

(1) Located in a community in the United States different from that of the parent institution;

(2) Not within a reasonable commuting distance from the main campus; and

(3) Offering college level programs for which library facilities, services, and materials are necessary.

"Combination of institutions of higher education" means—

(1) Institutions of higher education that have entered into a cooperative arrangement for the purpose of carrying out a common objective; or

(2) A public or nonprofit private agency, organization, or institution designated or created by a group of institutions of higher education for the purpose of carrying out a common objective on their behalf.

"Expenditures for total library purposes" means expenditures for the maintenance and operation of libraries, including salaries, wages, supplies, materials, and equipment.

"Institution of higher education" means, in any State, an educational institution that—

(1) Admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of that type of certificate;

(2) Is legally authorized within the State to provide a program of education beyond secondary education;

(3) Provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program that is acceptable for full credit toward a bachelor's degree;

(4) Is a public or nonprofit private institution; and

(5) Is accredited by a nationally recognized accrediting agency or association or, if not so accredited—

(i) Is an institution with respect to which the Secretary has determined that there is satisfactory assurance—considering the resources available to the institution, the period of time, if any, during which it has operated, the effort it is making to meet accreditation standards and the purpose for which this determination is being made—that the institution will meet the accreditation standards of a nationally recognized accrediting agency or association within a reasonable time; or

(ii) Is an institution whose credits are accepted, on transfer, by not fewer than three institutions that are so accredited for credit on the same basis as if transferred from an institution so accredited.

(6)(i) The term also includes any school that provides not less than a one-year program of training to prepare students for gainful employment in a recognized occupation and that meets the provisions of paragraphs (1), (2), (4), and (5) of this definition.

(ii) For purposes of this definition, the Secretary publishes a list of nationally recognized accrediting agencies or associations that the Secretary determines to be reliable authority as to the quality of training offered.

(7) The term also includes, in any State, a public or nonprofit private educational institution that, in lieu of the requirement in paragraph (1) of this definition, admits as regular students persons who are beyond the age of compulsory school attendance in the State in which the institution is located and who have the ability to benefit from the training offered by the institution.

"Library institution" means an institution that is not part of an institution of higher education and whose primary function is to provide library and information services to institutions of higher education on a formal cooperative basis. An institution meets this requirement if—

(1) It demonstrates that it provides more than 50 percent of its library and information services to students, faculty, or other researchers at an institution of higher education; and

(2) It provides these services on a cooperative basis under a formal written agreement with one or more institutions of higher education.

"Library material expenditures" means—

(1) Expenditures for books, periodicals, documents, magnetic tapes, phonograph records, audio-visual materials, cataloging materials, and other printed and published materials that—

(i) Are suitable for inclusion in the library resources and law library resources of institutions of higher education and other eligible library institutions; and

(ii) With the exception of periodicals and newspapers, with reasonable care

and use may be expected to last for more than one year; and

(2) Expenditures for the necessary first binding of these printed and published materials, but not the acquisition of equipment or supplies, or the cost of construction.

"Network" means a cooperative organization formed to share library resources and to provide services—such as computer services and telecommunications—to its members. Its members may include institutions of higher education and public or nonprofit private library institutions.

"Resource Development Grant" means a grant made under Section 211 of the Act.

"State Agency" means the State agency designated under Section 1203 of the Act.

(20 U.S.C. 3474)

Subpart B—Kinds of Projects the Secretary Assists Under This Program

§ 773.10 Authorized activities.

(a) Funds awarded under this program may be used only—

(1) For the acquisition of books and other library materials; and

(2) To support the activities of a network, including, but not limited to, computer time, network membership; and user fees.

(b) Funds awarded under this program may not be used for—

(1) The acquisition of books and other library materials to be used primarily in connection with any medical library or similar facility that receives assistance in the same fiscal year for expanding or improving medical library resources under the Medical Library Assistance Act of 1965, as amended (42 U.S.C. 280b–7).

(2) Religious purposes. (See EDGAR, 34 CFR 75.532—"Use of funds for religion prohibited".)

(Sec. 211 of the Act; 20 U.S.C. 1029)

Subpart C—How To Apply for a Grant

§ 773.20 Limitations on number of applications.

An applicant may submit no more than one application in a fiscal year.

(Sec. 211 of the Act; 20 U.S.C. 1029)

§ 773.21 Application requirements.

In its application, an applicant shall:

(a) Provide information about itself and its library resources, and

(b)(1) Include an assurance that if it receives a grant under this program, it will meet the maintenance of effort requirement of § 773.40; or

(2) Request a waiver of the maintenance of effort requirement under § 773.22.

(20 U.S.C. 3474)

§ 773.22 Application for waiver of maintenance of effort.

(a) If an applicant requests a waiver of the maintenance of effort requirement in § 773.40, it shall provide in its application a detailed description of the circumstances that it believes justifies the request.

(b) If the Secretary determines that there are very unusual circumstances that prevent the applicant from making the assurance required in § 773.21(b), the Secretary may waive the maintenance of effort requirement.

(c) The Secretary may waive the maintenance of effort requirement because of very unusual circumstances that either—

(1) Temporarily reduce the level of library material expenditures and expenditures for total library purposes; or

(2) Result in unusually high library material expenditures and expenditures for total library purposes.

(d) Very unusual circumstances include:

(1) Theft, vandalism, fire, flood, earthquake, or other exceptional and unforeseen occurrences;

(2) The establishment of a basic program of library service in the first five years of institutional operation;

(3) Sudden and substantial increases in enrollment; or

(4) Sudden and substantial increases in activities (e.g., library materials expenditures) due to an unusual, one-time receipt of funds.

(Sec. 211 of the Act; 20 U.S.C. 1029)

§ 773.23 Application from a combination of institutions.

In the case of an application from a combination of institutions of higher education, the combination may apply for:

(a) Its own grant; and

(b) If its members do not apply on their own behalf, of each of its members.

For example, combination A is composed of three institutions of higher education, X, Y, and Z. The combination A may apply for one resource development grant for itself, and it may also apply for separate grants on behalf of X, Y, and Z. However, X, Y, and Z may not apply separately if the combination A applies on their behalf.

(Sec. 211 of the Act; 20 U.S.C. 1029)

Subpart D—How the Secretary Makes a Grant

§ 773.30 How the Secretary judges applications.

The Secretary awards a grant to each eligible applicant that demonstrates its compliance with the Act and these regulations.

(Sec. 211 of the Act; 20 U.S.C. 1029)

§ 773.31 Amount of grant.

(a) The amount of a resource development grant may not exceed $10,000 for any fiscal year.

(b) The Secretary determines the amount of a resource development grant annually by dividing the amount of available funds by the number of eligible applicants that demonstrate compliance with the Act and these regulations.

(Sec. 211 of the Act; 20 U.S.C. 1029)

Subpart E—Conditions That Must Be Met by Grantee

§ 773.40 Maintenance of effort requirement.

During the fiscal year for which it has requested a grant, a grantee shall expend for all library material expenditures an amount—from funds other than funds received under this program—that equals or exceeds either—

(a) The average annual aggregate amount it expended for those materials during the two fiscal years preceding the fiscal year for which it is seeking assistance; or

(b)(1) The average amount per full-time equivalent student it expended for those purposes during the two fiscal years preceding the fiscal year for which it is seeking assistance.

(2) For the purposes of this section, the number of full-time equivalent students means—

(i) The sum of the number of students enrolled full-time at an institution; plus

(ii) The full-time equivalent of the number of students enrolled part time at this institution. This is determined by dividing the sum of the credit hours of all part-time students by twelve.

(Sec. 211 of the Act; 20 U.S.C. 1029)

§ 773.41 Coordination with other groups.

A grantee under this part shall annually inform the State agency designated under section 1203 of the Act of its project activities.

(Sec. 202 of the Act; 20 U.S.C. 1022)

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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday).

This is a voluntary program. (See OFR NOTICE 41 FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
DOT/COAST GUARD	USDA/FNS		DOT/COAST GUARD	USDA/FNS
DOT/FAA	USDA/FSQS		DOT/FAA	USDA/FSQS
DOT/FHWA	USDA/REA		DOT/FHWA	USDA/REA
DOT/FRA	MSPB/OPM		DOT/FRA	MSPB/OPM
DOT/NHTSA	LABOR		DOT/NHTSA	LABOR
DOT/RSPA	HHS/FDA		DOT/RSPA	HHS/FDA
DOT/SLSDC			DOT/SLSDC	
DOT/UMTA			DOT/UMTA	
CSA			CSA	

Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday.
Comments on this program are still invited.
Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

REMINDERS

The "reminders" below identify documents that appeared in issues of the **Federal Register** 15 days or more ago. Inclusion or exclusion from this list has no legal significance.

Deadlines for Comments on Proposed Rules for the Week of June 21 through June 27, 1981

AGRICULTURE DEPARTMENT

Animal and Plant Health Inspection Service—

23264 4-24-81 / Bird importation; handling procedures; comments by 6-24-81

CIVIL AERONAUTICS BOARD

20563 4-6-81 / Liberalization of rules for indirect cargo air carriers; reply comments by 6-25-81

COMMERCE DEPARTMENT

Maritime Administration—

30507 6-9-81 / Merchant Marine training standards for State maritime academies and colleges; comments by 6-24-81

National Oceanic and Atmospheric Administration—

30674 6-10-81 / Coastal Mirgratory Pelagics (Mackerel) Fishery Management Plan; comments by 6-26-81

COMMODITY FUTURES TRADING COMMISSION

23469 4-27-81 / Grant, offer and sale of options on physical commodities; comments by 6-26-81

DEFENSE DEPARTMENT

Army Department—

28446 5-27-81 / Personal privacy and rights of individuals regarding personal records; comments by 6-26-81

ENVIRONMENTAL PROTECTION AGENCY

27972 5-22-81 / Approval and promulgation of state implementation plans; Kansas; comments by 6-22-81

27973 5-22-81 / 2-Chloroallyldiethyldithiocarbamate; proposed tolerance; comments by 6-22-81

26796 5-15-81 / Oklahoma Corporation Commission; underground injection control; primacy application; comments by 6-22-81

28179 5-26-81 / Promulgation of Michigan State Implementation plan; comments by 6-24-81

27974 5-22-81 / S-Propyl Dipropylthiocarbamate; proposed tolerance; comments by 6-22-81

27975 5-22-81 / Trifluralin; proposed tolerance; comments by 6-22-81

27132 5-18-81 / Virginia application for Interim Authorization, Phase I; Hazardous Waste Management Program; comments by 6-24-81

FEDERAL COMMUNICATIONS COMMISSION

27729 5-21-81 / Amendment of the Commission's rules to expand the use of Digital Voice Modulation generally to the Private Land Mobile Radio Services; comments by 6-22-81

26509 5-13-81 / FM broadcast station in Ansley, Ala., change in table of assignments; reply comments extended to 6-24-81

[*See also* 46 FR 17809, 3-20-81]

22006 4-15-81 / FM broadcast station in Bay City, Tex., proposed changes in table of assignments; reply comments by 6-22-81

22088 6-1-81 / FM broadcast stations in Beaumont, Lake Jackson and Port Lavaca, Tex., proposed changes in table of assignments; reply comments by 6-22-81

25662 5-8-81 / FM broadcast stations in Christiansted, and Fredericksted, Virgin Islands; changes in table of assignments; comments by 6-22-81

25486 5-7-81 / FM broadcast station in Deer Park, Wash.; proposed changes in table of assignments; comments by 6-22-81

22769 4-21-81 / FM broadcast station in Freeport, Texas; changes in table of assignments; reply comments by 6-22-81

22770 4-21-81 / FM broadcast station in Lockhart, Texas; changes in table of assignments; reply comments by 6-22-81

22400 4-17-81 / FM broadcast stations in Montpelier, Stowe, Vergennes, and Waterbury, Vermont, and Marich and Port Henry, N.Y.; changes in table of assignments; reply comments by 6-22-81

25489 5-7-81 / FM broadcast station in Sonora, Calif.; proposed changes in table of assignments; comments by 6-22-81

28457 5-27-81 / Pleading cycle on Computer and Business Equipment Manufacturers Association (CBEMA) petition for policy ruling on AT&T offering of new CPE (customer-premises equipment); filed under Federal tariff filed after second computer inquiry final decision; comments by 6-26-81

22624 4-20-81 / Talk-around in Private Land Mobile Radio Services on shared conventional channels above specific frequency band; reply comments by 6-24-81

[Corrected at 46 FR 23275, 4-24-81]

25487 5-7-81 / TV Broadcast station in Roanoke, Va.; proposed changes in table of assignments; comments by 6-22-81

FEDERAL TRADE COMMISSION

29256 6-1-81 / Trade regulation rule; labeling and advertising of home insulation; comments by 6-22-81

HEALTH AND HUMAN SERVICES DEPARTMENT

Food and Drug Administration—

18992 3-27-81 / Irradiated foods; procedures for regulation in foods for human consumption; comments by 6-25-81

Office of the Secretary—

29732 6-3-81 / Child Day Care Services; Postponement of regulations and requirement that applicable State and local standards be met for Federal funding; comments by 6-24-81

23273 4-24-81 / Public and medical assistance; time limits for States to file claims; comments by 6-23-81

INTERIOR DEPARTMENT

National Park Service—

27970 5-22-81 / Everglades National Park; use of air boats; comments by 6-22-81

INTERSTATE COMMERCE COMMISSION

28457 5-27-81 / Rail carrier informational State tariff filings; comments by 6-26-81

POSTAL SERVICE

27970 5-22-81 / Facing identification marks on official mail; comments by 6-22-81

TRANSPORTATION DEPARTMENT

Coast Guard—

29288 6-1-81 / Lake Washington, Wash.; establishment of area of controlled navigation; comments by 6-22-81

Deadlines for Comments on Proposed Rules for the Week of June 28 through July 4, 1981

AGRICULTURE DEPARTMENT

Agricultural Marketing Service—

30645 6-10-81 / Classification of dipped seedless, and oleate and related seedless, raisins as separate varietal types; comments by 6-30-81

Animal and Plant Health Inspection Service—

23914 4-29-81 / Gypsy moth regulated areas; comments by 6-29-81

24930 5-4-81 / Procedures for importation of a single shipment of water buffalo from Trinidad into the U.S. through the Harry S. Truman Animal Import Center; (final rule); comments by 7-1-81

23754 4-28-81 / Texas (splenetic) fever in cattle; comments by 6-29-81

Food and Nutrition Service—

64068 9-26-81 / School lunch program and State administrative expense funds; assessment, improvement, and monitoring system; comments by 6-30-81

Food Safety and Quality Service—

23751 4-28-81 / Standards for grades of Gladiolus Corms (bulbs); comments by 6-29-81

[Corrected at 46 FR 26787, 5-15-81]

CIVIL AERONAUTICS BOARD

21185 4-9-81 / Air carriers; amendment of fuel cost and consumption reporting provisions; reply comments by 6-29-81

COMMERCE DEPARTMENT

National Oceanic and Atmospheric Administration—

27501 5-28-81 / Availability of draft technical support document for environmental requirements for licensing ocean thermal energy conversion facilities and plantships; comments by 6-30-81

23924 4-29-81 / Channel Islands and Point Reyes-Farallon Islands National Marine Sanctuaries; partial suspension of regulations; comments by 6-30-81

COMMODITY FUTURES TRADING COMMISSION

23941 4-29-81 / Proposed definitions of "small entities" for purposes of the Regulatory Flexibility Act; comments by 6-29-81

DEFENSE DEPARTMENT

Defense Investigative Service—

29486 6-2-81 / Privacy Act; implementation; comments by 7-2-81

ENVIRONMENTAL PROTECTION AGENCY

29289 6-1-81 / Approval and promulgation of implementation plans; Mass.; comments by 7-1-81

29291 6-1-81 / Designation of areas for air quality planning purposes; attainment status designations; Wisc.; comments by 7-1-81

27314 5-18-81 / Grants for construction of treatment works; comments by 7-2-81

28871 5-29-81 / Proposed revision of the Maryland State Implementation Plan; comments by 6-29-81

28872 5-29-81 / State of Texas; ozone attainment designation for McLennan County; comments by 6-29-81

FEDERAL COMMUNICATIONS COMMISSION

27506 5-20-81 / Digital communications protocols; reply comments period extended to 7-1-81

[*See also* 45 FR 84140, 12-8-80]

30372 6-9-81 / FM broadcast stations in Beaumont, Lake Jackson and Port Lavaca, Texas; reply comments extended to 7-1-81

[*See also* 46 FR 22008, 4-15-80]

23498 4-27-81 / FM broadcast station in Brownsville, Edinburg, Harlingen, Raymondville, Rio Grande City, Texas; changes in table of assignments; reply comments by 6-29-81

26513 5-13-81 / FM broadcast station in Coxsackie, N.Y., proposed changes in table of assignments; comments by 6-30-81

26509 5-13-81 / FM broadcast station in Delta, Colo., proposed changes in table of assignments; comments by 6-30-81

23496 4-27-81 / FM broadcast station in Gurdon, Arkansas; changes in table of assignments; reply comments by 6-29-81

31029 6-12-81 / FM broadcast station in Lockhart, Tex.; reply comments extended to 7-1-81

[Originally published at 46 FR 22770, 4-21-81]

23497 4-27-81 / FM broadcast station in Milan, Georgia; changes in table of assignments; reply comments by 6-29-81

26514 5-13-81 / FM broadcast station in Minot, N. Dak.; proposed changes in table of assignments; comments by 6-30-81

26511 5-13-81 / FM broadcast station in Sandpoint, Idaho, proposed changes in table of assignments; comments by 6-30-81

23774 4-28-81 / FM broadcast station; Weed, Co.; proposed change in table of assignments; reply comments by 6-29-81

30124 6-5-81 / Inquiry into the development of regulatory policy in regard to Interim Direct Broadcast Satellite Service; comments by 7-1-81

23956 4-29-81 / Inquiry relating to preparations for 1983 Region 2 Administrative Radio Conference on Broadcasting—Satellite Service and inquiry into the development of regulatory policy with regard to direct broadcast satellites; reply comments by 6-30-81

21397 4-10-81 / Radio service; sharing of certain frequencies by The Forest Products Radio Service; reply comments by 6-29-81

FEDERAL DEPOSIT INSURANCE CORPORATION

28660 5-28-81 / NOW account eligibility; comments by 6-29-81

GENERAL ACCOUNTING OFFICE

23939 4-29-81 / Collecting debts by offset; comments by 6-29-81

HEALTH AND HUMAN SERVICES DEPARTMENT

Food and Drug Administration—

23766 4-28-81 / Menstrual tampons; user labeling; comments by 6-29-81

[Originally published at 45 FR 69840, 10-21-80]

INTERIOR DEPARTMENT

Fish and Wildlife Service—

24607 5-1-81 / American alligators in Louisiana; change in legal status as an endangered or threatened species; comments by 6-30-81

28881 5-29-81 / Deletion of the permit requirement to import or export migratory birds; comments by 6-29-81

28192 5-26-81 / Export of American alligator and American ginseng taken in 1981-82 season; comments by 7-1-81

14652 2-27-81 / Wildlife classified as endangered or threatened in 1975 and 1976; review; comments by 6-29-81

Geological Survey—

26661 5-14-81 / Proposed revision and updating of provisions for formation and operation of Federal oil and gas units; comments by 6-29-81

National Park Service—

28846 5-29-81 / Glacier Bay small boat entry level; effective date; comments by 6-30-81

INTERSTATE COMMERCE COMMISSION

30156 6-5-81 / Standards for determining commuter rail service; continuation subsidies; comments by 7-3-81

JUSTICE DEPARTMENT

23939 4-29-81 / Collecting debts by offset; comments by 6-29-81

Drug Enforcement Administration—

23953 4-29-81 / Schedules of controlled substances; proposed placement of halazepam, alprazolam and triazolam into Schedule IV; comments by 6-29-81

LABOR DEPARTMENT

Employment Standards Administration—

29485 6-2-81 / Employment of homeworkers in certain industries; comments extended to 7-4-81

[Originally published at 46 FR 25108; 5-5-81]

12213 2-13-81 / Labor standards for Registration of Apprenticeship program; list of occupations meeting criteria; comments by 6-30-81

[Originally published at 45 FR 15571, 3-11-80]

Occupational Safety and Health Administration—

21368 4-10-81 / Conveyor standards comment period extended to 6-30-81

[*See also* 39 FR 19507, 6-3-74; 45 FR 75238, 11-14-80; 46 FR 39116, 1-16-81; and 46 FR 25653, 5-8-81]

NATIONAL CREDIT UNION ADMINISTRATION

29248 6-1-81 / Regulatory development; policy statement; comments by 7-1-81

NUCLEAR REGULATORY COMMISSION

30349 6-8-81 / Rules of practice for domestic licensing proceedings; modifications to the NRC hearing process; comments by 6-29-81

POSTAL SERVICE

35 1-2-81 / Third-class carrier route presort; comments extended to 7-1-81

[Originally published at 45 FR 79804, 12-2-80; corrected at 45 FR 81563, 12-11-80]

SECURITIES AND EXCHANGE COMMISSION

23942 4-29-81 / Regulatory flexibility agenda for purposes of the Regulatory Flexibility Act; comments by 6-30-81

TRANSPORTATION DEPARTMENT

Coast Guard—

26661 5-14-81 / Amendment of inland navigation rules on certificates of alternative compliance; comments by 6-29-81

27128 5-18-81 / Exemption from barge lighting requirements; Cumberland River; comments by 7-2-81

Office of the Secretary—

23500 4-27-81 / Relocation of boundary between eastern and central time in State of Indiana in order to move Starke County from central to eastern time; comments by 6-30-81

TREASURY DEPARTMENT

Customs Service—

23952 4-29-81 / Illegal discharge of oil and the pollution of coastal waters; comments by 6-29-81

Internal Revenue Service—

24595 5-1-81 / Employment taxes; sick pay, voluntary withholding; comments by 6-30-81

24595 5-1-81 / Excise taxes, windfall profit tax on domestic crude oil; changes in application of Energy Department regulations; comments by 6-30-81

New Week's Meetings:

AGRICULTURE DEPARTMENT

Agricultural Marketing Service—

29296 6-1-81 / Flue-Cured Tobacco Advisory Committee, Raleigh, N.C. (open), 6-26-81

Forest Service—

24219 4-30-81 / Pacific Crest National Scenic Trail Advisory Council, Mt. Shasta, Calif. (open), 6-25-81

CIVIL RIGHTS COMMISSION

31040 6-12-81 / Ohio Advisory Committee, Cincinnati, Ohio (open), 6-27-81

30841 6-11-81 / Texas Advisory Committee, San Antonio, Tex. (open), 6-26-81

COMMERCE DEPARTMENT

National Oceanic and Atmospheric Administration—

30679 6-10-81 / New England Fishery Management Council, Darvers, Mass. (open), 6-30 and 7-1-81

29739 6-3-81 / New England Fishery Management Council, Scientific and Statistical Committee, Boothbay Harbor, Maine (open), 6-24-81

28693 5-28-81 / Regional Fishery Management Councils; Chairpersons and Executive Directors; Hommer, Alaska (open), 6-21-81 through 6-24-81

DEFENSE DEPARTMENT

Air Force Department—

27747 5-21-81 / USAF Scientific Advisory Board, Woods Hole, Mass. (closed), 6-22 through 7-2-81

Navy Department—

30382 6-8-81 / Chief of Naval Operations Executive Panel Advisory Committee, Science and Technology Subpanel, Alexandria Va. (closed), 6-23 and 6-24-81

Office of the Secretary—

26521 5-13-81 / DOD Advisory Group on Election Devices Advisory Committee, Toteta, Calif. (closed), 6-25-81

22025 4-15-81 / Defense Intelligence Agency Advisory Committee, Soviet naval trends, Rosslyn, Va. (closed), 6-23 and 6-24-81

27747 5-21-81 / Defense Science Board Review on MX Missile Basing, Washington, D.C. (closed), 6-25 through 6-27-81

22923 4-22-81 / Wage Committee, Washington, D.C. (closed), 6-23-81

EDUCATION DEPARTMENT

30383 6-8-81 / Ethnic Heritage Studies National Advisory Council, Washington, D.C. (open), 6-24-81 through 6-26-81

FEDERAL COMMUNICATIONS COMMISSION

28010 5-22-81 / Procedures and Practices on Mobile Services Division, Washington, D.C. (open), 6-22-81

FEDERAL RESERVE SYSTEM

29333 6-1-81 / Federal Reserve Board, Midland Bank, bank holding company application, San Francisco, Calif., 6-22-81

GENERAL SERVICES ADMINISTRATION

Office of the Federal Register—

30701 6-10-81 / Basic Building Code, Hartford, Conn. (open), 6-22 through 6-26-81

HEALTH AND HUMAN SERVICES DEPARTMENT

Alcohol, Drug Abuse, and Mental Health Administration—

26695 5-14-81 / Advisory Committees, Washington, D.C. and various cities in Maryland (partially open), 6-22 through 6-27-81

28011 5-22-81 / Interagency Committee on Federal Activities for Alcohol Abuse and Alcoholism, Washington, D.C. (open), 6-23-81

30702 6-10-81 / Disease Control Centers—health and safety effects of cold stress, Cincinnati, Ohio (open), 6-26-81

Food and Drug Administration—

30567 6-9-81 / Consumer Exchange Meeting, Philadelphia, Pa. (open) 6-25-81

26869 5-15-81 / Oncologic Drugs Advisory Committee, Rockville, Md. (open), 6-25-81

National Institutes of Health—

24300 4-30-81 / Aging Review Committee, Bethesda, Md. (open), 6-25 and 6-26-81

28018 5-22-81 / Board of Scientific Counselors, National Institute of Child Health and Human Development, Bethesda, Md. (partially open), 6-24-81

28016 5-22-81 / Cancer Clinical Investigation Review Committee, National Cancer Institute, Bethesda, Md. (partially open), 6-22 and 6-23-81

28017 5-22-81 / Clinical Trials Review Committee, National Heart, Lung, and Blood Institute, Washington, D.C. (partially open), 6-21 and 6-22-81

28017 5-22-81 / General Research Support Review Committee, Division of Research Resources, Bethesda, Md. (partially open), 6-25 and 6-26-81

18069 3-23-81 / Mandatory retirement age for commercial airline pilots; report; meeting, Bethesda, Md. (open), 6-22 and 6-23-81

28018 5-22-81 / Maternal and Child Health Research Committee, National Institute of Child Health and Human Development, Bethesda, Md. (partially open), 6-23 and 6-24-81

28018 5-22-81 / Mental Retardation Research Committee, National Institute of Child Health and Human Development, Bethesda, Md. (partially open), 6-25 and 6-26-81

29336 6-1-81 / National Institute of Dental Research Special Grants Review Committee, Bethesda, Md. (partially open), 6-23-81

28019 5-22-81 / Population Research Committee, National Institute of Child Health and Human Development, Bethesda, Md. (partially open), 6-25 and 6-26-81

24712 5-1-81 / Research Grants Division, Behavioral & Neurosciences C Study Section, Bethesda, Md. (partially open) 6-23-81

24712 5-1-81 / Research Grants Division, Bio-Organic & Natural Products Chemistry Study Section, Bethesda, Md. (partially open), 6-25 through 6-27-81

24712 5-1-81 / Research Grants Division, Cardiovascular & Pulmonary Study Section, Gaithersburg, Md. (partially open), 6-24 through 6-26-81

24712 5-1-81 / Research Grants Division, General Medicine B Study Section, Georgetown, Washington, D.C. (partially open), 6-24- through 6-27-81

24712 5-1-81 / Research Grants Division, Metallobiochemistry Study Section, Rosslyn, Va. (partially open), 6-25 through 6-27-81

24712 5-1-81 / Research Grants Division, Neurology B Study Section, Washington, D.C. (partially open), 6-24 through 6-27-81

24712 5-1-51 / Research Grants Division, Physiological Chemistry Study Section, Rosslyn, Va. (partially open), 6-25 through 6-27-81

24712 5-1-81 / Research Grants Division, Radiation Study Section, Chevy Chase, Md. (partially open), 6-22 through 6-24-81

24712 5-1-81 / Research Grants Division, Toxicology Study Section, Washington, D.C. (partially open), 6-22 through 6-24-81

31076 6-12-81 / Research Manpower Review Committee, Bethesda, Md. (partially open), 6-22-81

28020 5-22-81 / Vision Research Program Committee, National Eye Institute, Bethesda, Md. (partially open), 6-25-81

Public Health Service—

26873 5-15-81 / National Toxicology Program Board of Scientific Counselors, Research Triangle Park, N.C. (open), 6-23-81

INTERIOR DEPARTMENT

Land Management Bureau—

28022 5-22-81 / California; Willow Creek Grazing Management Plan; intent to prepare an environmental impact statement, Susanville, Calif. (open), 6-24-81

27771 5-21-81 / Cedar City District Multiple Use Advisory Council, Cedar City, Utah (open), 6-22-81

30707 6-10-81 / Cuyahoga Valley National Recreation Area Advisory Commission, Peninsula, Ohio (open), 6-25-81

27563 5-20-81 / Intergovernmental Planning Program, South Atlantic Regional Technical Working Group, New Orleans, La. (open), 6-25-81

27770 5-21-81 / Lakeview District Advisory Council, Lakeview, Oreg. (open), 6-23-81

27773 5-21-81 / Montrose District Advisory Council, Cortez, Colo. (open), 6-23 and 6-24-81

28959 5-29-81 / Outer Continental Shelf Advisory Board, Alaska Regional Technical Working Group, Anchorage, Alaska (open), 6-24 and 6-25-81

27774 5-21-81 / Socorro District Advisory Council, Socorro, N. Mex. (open), 6-24-81

National Park Service—

29339 6-1-81 / Lewis and Clark National Historic Advisory Council, Omaha, Nebr. (open), 6-17-81 and Portland, Oreg., 6-24-81

29771 6-3-81 / Upper Delaware Citizens Advisory Council, Narrowsburg, N.Y. (open), 6-26-81

INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Agency for International Development—

30735 6-10-81 / International Food and Agricultural Development Board, Washington, D.C. (open), 6-25-81

INTERSTATE COMMERCE COMMISSION

30215 6-5-81 / Tongue River Railroad Line Construction, Ashland, Mt., (open), 6-23-81 and Broadus, Mt., (open), 6-23-81

NATIONAL SCIENCE FOUNDATION

28052 5-22-81 / Special Research Equipment Advisory Committee, Chemistry Subcommittee, Washington, D.C. (closed), 6-24 and 6-25-81

NUCLEAR REGULATORY COMMISSION

30434 6-8-81 / Reactor Safeguards Advisory Committee, Washington, D.C. (Open), 6-25 and 6-26-81

25576 5-7-81 / Reactor Safeguards Advisory Committee, Advanced Reactors Subcommittee, Des Plaines, Ill. (open), rescheduled from 5-14 and 5-15-81 to 6-22 and 6-23-81

[*See also* 46 FR 24046, 4-29-81]

30222 6-5-81 / Reactor Safeguards Advisory Committee, Advanced Reactors Subcommittee, Park Ridge, Ill. (partially open), 6-22 and 6-23-81

30433 6-8-81 / Reactor Safeguards Advisory Committee, Class-9 Accidents Subcommittee, Washington, D.C. (open), 6-24-81

30434 6-8-81 / Reactor Safeguards Advisory Committee, Emergency Core Cooling Systems Subcommittee, Idaho Falls, Idaho (partially open), 6-23 and 6-24-81

22508 4-17-81 / Reactor Safeguards Advisory Committee, Three Mile Island Unit 1 Subcommittee, Washington, D.C. (open), 6-25 and 6-26-81

[*See also* 46 FR 20810, 4-7-81]

30222 6-5-81 / Reactor Safeguards Advisory Committee, Waste Management and Reactor Radiological Effects Joint Subcommittee, Washington, D.C. (partially open), 6-22 and 6-23-81

STATE DEPARTMENT

28779 5-28-81 / Shipping Coordinating Committee, Subcommittee on Safety of Life at Sea, Washington, D.C. (open) 6-23-81

TRANSPORTATION DEPARTMENT

Coast Guard—

29370 6-8-81 / New York Vessel Traffic Service Advisory Committee, New York, N.Y. (open), 6-24-81

National Highway Traffic Safety Administration—

7123 1-22-81 / Safety Standards International Harmonization; Construction of Vehicle, Group of Experts on Sixty-four session; Geneva, Switzerland, 6-22 through 6-26-81

VETERANS ADMINISTRATION

29581 6-2-81 / Special Medical Advisory Group, Washington, D.C. (open), 6-24 and 6-25-81

16174 3-11-81 / Wage Committee, Washington, D.C. (closed), 6-25-81

Next Week's Public Hearings

COMMERCE DEPARTMENT

Foreign-Trade Zones Board—

27980 5-22-81 / Baltimore/Washington International Airport, Baltimore/Washington Airport, 6-25-81

National Oceanic and Atmospheric Administration—

29733 6-3-81 / Gulf of Mexico Fishery Management Council; Amendment No. 1 to the fishery management plan (FMP) for the shrimp fishery of the Gulf of Mexico, Corpus Christi, Texas; 6-22-81 and Fort Myers, Fla., 6-23-81

30674 South Atlantic Fishery Management Council, Greenville, N.C., 6-24; Savannah, Ga., 6-24; Charleston, S.C., 6-25 and Palm Beach Gardens, Fla., 6-25-81

DEFENSE DEPARTMENT

Navy Department—

19969 4-2-81 / Naval Discharge Review Board, San Diego, Calif. 6-21 through 6-27-81

HEALTH AND HUMAN SERVICES DEPARTMENT

Food and Drug Administration—

22809 4-21-81 / GRAS review of activated carbon (charcoal), bioflavonoids, shellac and shellac wax, and smoke flavoring solutions and smoked yeast flavoring, Bethesda, Md., 6-22-81

INTERNATIONAL TRADE COMMISSION

16162 3-11-81 / Certain tobacco, Washington, D.C., 6-24-81

[Changed at 46 FR 24035, 4-29-81]

POSTAL RATE COMMISSION

27210 Attached Mail Proceeding, Washington, D.C., 6-25-81

TREASURY DEPARTMENT

Internal Revenue Service—

18998 3-27-81 / Investment credit for single purpose agricultural or horticultural structures, Washington, D.C., 6-25-81

[*See also* 46 FR 7397, 1-23-81]

VETERANS ADMINISTRATION

27224 5-18-81 / Station Committee on Education Allowances, Montgomery, Ala., 6-22-81

List of Public Laws

Last Listing June 10, 1981

This is a continuing list of public bills from the current session of Congress which have become Federal laws. The text of laws is not published in the Federal Register but may be ordered in individual pamphlet form (referred to as "slip laws") from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 (telephone 202-275-3030).

S.J. Res. 50 / Pub. L. 97-13 Designating July 17, 1981, as "National P.O.W.-M.I.A. Recognition Day". (Jun. 12, 1981; 95 Stat. 97) Price $1.50.

Documents Relating to Federal Grant Programs

This is a list of documents relating to Federal grant programs which were published in the **Federal Register** during the previous week.

APPLICATIONS DEADLINES

30843 6-11-81 / Commerce/MBDA—Financial assistance application announcement; apply by 7-17-81

31043 6-12-81 / ED—Law School Clinical Experience Program; apply by 7-24-81

30895 6-11-81 / HHS/SSA—Income maintenance research and demonstrations; community work experience projects; availability of grants; apply by 7-31-81

30593 6-9-81 / Justice/NIJ—Fellowships for research and writing of doctoral dissertation in the area of criminal justice; apply by 10-31-81 for first cycle; apply between 10-31-81 and 3-2-82 for second cycle

MEETINGS

31076 6-12-81 / HHS/NIH—Cellular and Molecular Basis of Disease Review Committee, Chevy Chase, Md. (partially open), 6-29 and 6-30-81

31076 6-12-81 / HHS/NIH—Research Manpower Review Committee, Bethesda, Md. (partially open), 6-22-81

OTHER ITEMS OF INTEREST

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30702 6-10-81 / HHS/ADAMHA—Cooperative agreement to support a Uniform Health Program Reporting System for Comprehensive Public Health Services; availability of FY 1981 funds

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